

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,
ex rel DAVID F. ANTOON, et al.,

Plaintiffs,

:

Case No. 3:10-cv-045

-vs-

:

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

CLEVELAND CLINIC FOUNDATION,
et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 8), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on November 26, 2010, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be dismissed without prejudice for want of prosecution.

November 29, 2010.

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge